

THE STATE BAR OF CALIFORNIA

NOTICE AND AGENDAS

Pursuant to the Rules Governing Open Meetings, Closed Sessions and Records of the Board of Governors of the State Bar, article 2, section 2, notice is hereby given of the following regular meeting of the Board of Governors of the State Bar of California and the Board Committees of the State Bar of California.

**The State Bar Offices
1149 South Hill Street, 7th Floor
Los Angeles, California 90015-2299
(213) 765-1000**

Thursday, August 17, 2006

12:30 p.m. - 3:30 p.m.	Regulation, Admissions and Discipline	Board Room
3:30 p.m. - 5:00 p.m.	BOARD MEETING	Board Room

Friday, August 18, 2006

8:15 a.m. - 9:15 a.m.	Board Operations	Board Room
9:30 a.m. - 10:45 a.m.	Planning, Program Development, and Budget	Board Room
10:00 a.m. - 11:15 a.m.	Volunteer Involvement	Conference Room 723
11:30 a.m. - 12:45 p.m.	Member Oversight	Board Room
12:45 p.m. - 1:45 p.m.	Lunch	Board Lounge
1:30 p.m. - 2:00 p.m.	Stakeholder Relations [Diversity Pipeline Report – PowerPoint Presentation]	Board Room
2:00 p.m. - 3:00 p.m.	Stakeholder Relations	Conference Room 723
2:00 p.m. - 4:15 p.m.	Regulation, Admissions and Discipline	Board Room

Saturday, August 19, 2006

8:30 a.m. -	BOARD MEETING	Board Room
-------------	----------------------	------------

2005 2006 BOARD COMMITTEES

Board Committee on Operations [Bd. Ops] (110)

1. **James Otto Heiting, Chair**
2. Raymond G. Aragon
3. Richard L. Crabtree
4. Paul S. Hokokian
5. Judy Johnson
6. Melvin D. Lee
7. Maralee MacDonald
8. Richard A. Rubin
9. Demetrius D. Shelton
10. Sheldon H. Sloan

Regulation, Admissions, and Discipline Oversight Committee [RAD] (120)

1. **Paul S. Hokokian, Chair**
2. Ruthe C. Ashley
3. Jeannine English
4. Holly J. Fujie
5. Jo-Ann Grace
6. Thomas T. Haider
7. Danni R. Murphy

Member Oversight Committee [MOC] (130)

1. **Demetrius D. Shelton, Chair**
2. Marguerite D. Downing
3. Thomas T. Haider
4. Maralee MacDonald
5. John P. McNicholas
6. M. Carmen Ramirez
7. James A. Scharf

Planning, Program Development, and Budget Committee [PPDB] (140)

1. **Richard L. Crabtree, Chair**
2. Jeffrey L. Bleich
3. Marguerite D. Downing
4. Holly J. Fujie
5. Melvin D. Lee
6. M. Carmen Ramirez
7. Richard A. Rubin

Volunteer Involvement [VIC] (150)

1. **Raymond G. Aragon, Chair**
2. Ruthe C. Ashley
3. Jeannine English
4. Jo-Ann Grace
5. Danni R. Murphy
6. James N. Penrod

Stakeholder Relations (160)

1. **Sheldon H. Sloan, Chair**
2. Jeffrey L. Bleich
3. Melvin D. Lee
4. Maralee MacDonald
5. John P. McNicholas
6. James N. Penrod
7. Richard A. Rubin
8. James A. Scharf

Task Force on Sections (170)

1. **James Otto Heiting, Chair**
2. Ruthe C. Ashley
3. Richard L. Crabtree
4. Vivian L. Kral (former Board Member)
5. James N. Penrod
6. Wendy Abkin
7. Patricia Beyer
8. Ben Borson
9. Joyce Hicks

Audit Committee (180)

1. **James Otto Heiting, Chair**
2. James N. Penrod 1st-Year Board Member
3. Jeffrey L. Bleich 2nd-Year Board Member
4. Richard L. Crabtree Vice-President
5. Richard A. Rubin Public Member
6. Sheldon H. Sloan Vice-President



REVISED AUGUST 16, 2006

BOARD OF GOVERNORS MEETING

AGENDA

The State Bar of California
1149 South Hill Street
Board Room, 7th Floor
Los Angeles, CA 90015-2299
(213) 765-1000

Thursday, August 17
AND
Saturday, August 19, 2006

Thursday, August 17, 2006

OPEN SESSION

100 REPORTS OF BOARD COMMITTEES

110 *Board Operations*

(Heiting)

111* Executive Director's Evaluation—proposed approval

[SPECIAL ORDER OF BUSINESS: 3:30 p.m.]

[Recess to time certain at the call of the President should further discussion be necessary.]

CLOSED SESSION

(Heiting)

111* Executive Director's Evaluation—proposed approval

(Closed pursuant to Business and Professions Code section 6026.5(d))

[Recess to time certain at the call of the President should further discussion be necessary.]

Saturday, August 19, 2006

OPEN SESSION

(The times listed below are guidelines. The President reserves the right to adjust this schedule.)

Time (estimates only)

100 REPORTS OF BOARD COMMITTEES

8:30 a.m.
(30 minutes)

(Hokokian)

120 *Regulation, Admissions & Discipline Oversight*

- 125 Rules of Procedure of The State Bar of California regarding Permanent Disbarment, Increasing the Minimum Waiting Period for Reinstatement and Requiring Passage of the Attorney's Bar Examination [formerly titled Permanent Disbarment/ Disbarment Options]—proposed amendments following public comment period

[SPECIAL ORDER OF BUSINESS: 8:30 a.m.]

(Johnson)

10 MINUTES

9:00 a.m.
(2 minutes)

June 17, 2006

[Special Meeting for the Election of the State Bar's 2006-07 President]

June 17, 2006

[Regular Meeting]

(Heiting)

30 PRESIDENT'S REPORT

9:02 a.m.
(10 minutes)

1. Ratification of Change in Meeting Date from August 25-26, 2006, to August 17-19, 2006

(Johnson)

40 STAFF REPORTS

9:12 a.m.
(5 minutes)

41/42 Executive Director / Secretary

2006 Board of Governors Election—announcement of successful candidates

(Heiting)

50 CONSENT AGENDA

9:17 a.m.
(2 minutes)

54-112 Judicial Education Proposal

[Report of emergency conference call action taken by the Board Committee on Operations, on behalf of the Board on July 25, 2006, between regularly scheduled meetings of the Board.]

54-121 Monterey County Bar Association Rules of Procedure for Fee Arbitrations—proposed approval

54-122 San Luis Obispo County Bar Association Rules of Procedure for Fee Arbitrations—proposed approval

54-123 Santa Barbara County Bar Association Rules of Procedure for Fee Arbitrations—proposed approval

54-124 The State Bar of California's Rules of Procedure for Fee Arbitrations and Enforcement of Awards—proposed approval following public comment period

54-131 Members' Requests for Adjustments to Fees and/or Penalties

54-132 Recommendation to the Supreme Court for Suspension of Members Delinquent in Payment of 2005and 2006 State Bar Fees, Penalties and/or Costs

[Report of emergency fax-poll action taken by the Board July 25-28, 2006, between regularly scheduled meetings of the Board.]

54-133 Mandatory Continuing Legal Education (MCLE)—Recommendation re Members in Non-compliance

[Report of emergency fax-poll action taken by the Board August 1 – 4, 2006, between regularly scheduled meetings of the Board.]

54-165 Commission on Judicial Nominees Evaluation—statistical report for the years 2003 - 2005

100 REPORTS OF BOARD COMMITTEES

(Heiting)

110 Board Operations

9:19 a.m.
(8 minutes)

113 Rules and Regulations for Executive Staff—proposed amendments

114 Memorandum of Understanding between The Foundation of The State Bar of California and The State Bar of California—proposed amendments

(Hokokian)

120 *Regulation, Admissions & Discipline Oversight*

9:27 a.m.
(23 minutes)

- 126 Rules of Procedure of The State Bar of California, Rule 2201 re Appointment and Authority of Special Deputy Trial Counsel—proposed amendments following public comment period
- 127 Status Report on the State Bar's Response to the Supreme Court Request that the State Bar study and report on issues identified in Frye vs. THC - Study, Report and Recommendations Regarding Practice of Law in Nonprofit Corporations [On Referral from the Supreme Court (see *Frye v Tenderloin Housing Clinic, Inc.* (2006) 38 Cal 4th 23)] —**INFORMATIONAL ONLY**
- 128 State Bar Court—appointment of judge pro tempore
- 129 Local Fee Arbitration Rules and Rescission of Prior Board of Governors' Resolution—proposed ratification
- 129 A Resignation of Attorney David B. Weintraub
[EMERGENCY ITEM]**

(Shelton)

130 *Member Oversight*

9:50 a.m.
(10 minutes)

- 134 Admiralty and Maritime Law Consulting Group—proposed creation
- 135 Rules and Regulations of the State Bar of California, Title Two, Division 3—proposed addition of rule 2.30 [Inactive Membership] from Article I, Section 2
- 136 Expungement of Administrative Suspension in Limited Circumstances—proposed rule amendment following second public comment period
- ~~137 National Board of Trial Advocacy's (NBTA) Certification Program in Social Security Disability Law—proposed Legal Specialization accreditation~~

(Crabtree)

140 *Planning, Program Development & Budget*

10:00 a.m.
(15 minutes)

- 141 Membership Fees, Fee Scaling, Penalties and Due Dates—proposed approval
- 142 Attorney Civility Initiative

- 143 Reimbursement to Local Bars Contracting with the State Bar—proposed increase reimbursement increase to the contracted bars for each assigned fee arbitration or mediation matter
- 144 Retiree Healthcare Trust—proposed creation
- 145 2007 State Bar Budget—proposed adoption

(Aragon)

150 Volunteer Involvement

10:15 a.m.
(5 minutes)

- 151 Selection Guidelines for the State Bar Appointments to the ABA House of Delegates—proposed amendments following public comment period

(Sloan)

160 Stakeholder Relations

10:20 a.m.
(10 minutes)

- 161 Report from the Office of Government Affairs
- 162 Immediate Action Items
- 163 Diversity Pipeline Task Force Report and Recommendations—receipt thereof
- 164 Access and Fairness Survey Report and Recommendations—receipt thereof

(Heiting)

170 Task Force on Sections

10:30 a.m.
(3 minutes)

(Heiting)

180 Audit Committee

CLOSED SESSION

10:33 a.m.
(10 minutes)

(Johnson) **1000 MINUTES**

June 17, 2006 [Regular Meeting]

(Closed pursuant to Rules Governing Open Meetings, Closed Sessions and Records of the Board of Governors, article 5, section 3(a))

3000 REPORTS OF BOARD COMMITTEES

(Heiting)

Board Committee on Operations

3115 Claim of Hofman

(Closed pursuant to Business and Professions Code section 6026.5(a))

4000 STAFF REPORTS

4010 General Counsel—report (a) certain litigation (to be identified); (b) any settlement matters; (c) prospective litigation; (d) any requested waivers of claims of privilege.

4011 Complaint of Bar Applicant, Shannon Ramsay

(Closed pursuant to Business and Professions Code section 6026.5(a))

5000 CONSENT

(Heiting)

5110 Board Committee on Operations

5116 Dydzak Claim

[Report of July 25, 2006, conference call action taken by the Board Committee on Operations on behalf of the Board between regularly scheduled Board meetings]

(Closed pursuant to Business and Professions Code section 6026.5(a))

(Aragon)

6000 APPOINTMENTS

6010 CLOSED CONSENT

6011 Standing, Section Executive, Special Committees and Commissions—2006-07 annual appointment of members and officers, Part II

6012 California Rural Legal Assistance—annual appointment of attorney members to the Board of Directors

6013 California Indian Legal Services—annual appointment of attorney members to the Board of Directors

6014 President's Pro Bono Awards—selection of recipients

6015 Loren Miller Legal Services Award—selection of recipient

6016 Bernard E. Witkin Medal Award selection of recipient

- 6017 Diversity Awards—selection of bar association recipient
- 6018 Admiralty and Maritime Law Consulting Group—appointment of members
- 6019 Fee Arbitration Department—appointment of new arbitrators
- 6020** Commission on Judicial Nominees Evaluation—2007 annual appointment of officers and members
- 6030** Review Committee, Commission on Judicial Nominees Evaluation—annual appointment of member and chair
- 6040** Center for Civic Education Board of Directors—appointment of two members from the State Bar's Board of Governors

(Closed pursuant to Business and Professions Code section 6026.5(g))

OPEN SESSION

- (Heiting) **700 MISCELLANEOUS** 10:43 a.m.
(15 minutes)
- (Sloan) 701 Election of the 2006-07 Vice Presidents and Treasurer; Selection of Secretary
- (Heiting) 702 Presentation of Resolution in Memory of Jim Pfeiffer, First Executive Director of The Foundation of The State Bar of California, to his Family, Bonnie Hough and Michael Pfeiffer

[SPECIAL ORDER OF BUSINESS: 10:45 A.M.]

ADJOURN

11:00 a.m.